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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/668,788

09/23/2003

William A. Goldman

063718.0282

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(BT-1307/CON1

31625

7590

06/19/2006

EXAMINER

JONES, HUGH M

BAKER BOTTS L.L.P.

PATENT DEPARTMENT

98 SAN JACINTO BLVD., SUITE 1500

AUSTIN, TX 78701-4039

ART UNIT

PAPER NUMBER

2128

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION/1.105 REQUIREMENT FOR INFORMATION

1. Claims 1-22 of U. S. Application 10/668,788, filed on 9/23/2003 are pending. This action is in response to Applicant's submissions filed 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006. *It is also noted that the application is related, at least, apparently, in subject matter to at least one application for which there is a formal request for interference.*

2. *Ex parte* prosecution is SUSPENDED FOR A PERIOD OF 3 MONTHS from the date of this letter in view of the requirement for information under 1.105. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

3. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information (see items A-F) that the examiner has determined is reasonably necessary to the examination of this application:

A. Stipulate whether each and every individually cited reference listed on the IDS(s) submitted 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006 is material to the patentability of the instant application; the applicant may either *agree* or *disagree* for each cited reference.

1. Identify, for each and every citation listed on the IDS(s) submitted 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006, for which applicant *agrees* is material to the patentability:

- a. The differences between the claimed invention and those references cited therein,
- b. How each reference is material to the patentability, based upon the technical and legal knowledge of the Applicant, of the claimed invention,
- c. Provide how the instant claimed invention is an improvement over each and every reference that is listed in the IDS submission(s) dated 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006.

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B. Provide a copy of any non-patent literature, published applications, or patent (US or Foreign) *used in drafting the instant application, whether or not cited* in the IDS submission(s) dated 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006.

C. Provide a copy of any non-patent literature, published application, or patent (US or Foreign) that was *used in the inventive process to accomplish the applicant's inventive results*.

D. Provide the date of first use of the claimed invention, known by any of the inventors or Applicant, at the time the application was filed *notwithstanding* the date of use.

E. Trademark(s) or Copyright(s) for the product(s) incorporating the instant claimed invention.

F. In order to constitute a complete response Applicant is required to include stipulations for each and every reference cited in the IDS submission(s) dated 9/23/2003, 1/23/2004, 7/2/2004, 9/17/2004, 5/4/2005, and 3/9/2006 as well as each and every IDS submission thereafter, as delineated in requirement A.

4. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain

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an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

6. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 3 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

7. **Any inquiry concerning this communication or earlier communications from the examiner should be:**

directed to: Dr. Hugh Jones telephone number (571) 272-3781,
Monday-Thursday 0830 to 0700 ET,

or

the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, telephone number (703) 305-3900.

mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051 (for formal communications intended for entry)

or (703) 308-1396 (for informal or draft communications, please label *PROPOSED* or *DRAFT*).

Dr. Hugh Jones

Primary Patent Examiner

May 26, 2006


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER


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